

## SMALL BEACH EROSION CONTROL PROJECTS

### Section 103, River and Harbor Act of 1962, as amended



A beach fill project will be constructed at Buckroe Beach, Hampton, VA, to restore the shoreline and provide hurricane and storm damage protection for the landside structures.

**Authority and Scope.** Section 103 of the River and Harbor Act of 1962, as amended, provides authority for the Corps of Engineers to develop and construct small beach erosion control projects. A potential project must provide benefits other than for the purposes of recreation, such as beach stabilization to reduce flooding or to provide protection to public facilities. Each project is limited to a Federal cost of not more than \$3 million, which includes all project-related costs for feasibility studies, planning, engineering and design, and construction.

**How to Request Assistance.** The Corps will initiate a preliminary investigation of a potential project after a letter from a prospective sponsoring agency is received. The sponsor must be fully empowered under State law to provide the required local cooperation. A sample letter of request is shown on the reverse side of this paper.

**Funding.** The sponsor is required to contribute up to 50 percent of the total project costs for the protection of shorelines owned by public agencies, and for privately owned shorelines where significant public benefit can be demonstrated. Projects for the protection of privately owned shorelines which offer no benefits to the public are not eligible for Federal cost sharing. Federal participation is adjusted in accordance with the degree of public benefit.

**Local Cooperation.** Formal assurance of local cooperation must be furnished by the sponsoring agency, as defined in the letter of request. During the planning phase, the sponsor will be required to demonstrate financial capability to fulfill all items of local cooperation.

*Revised January 2000*

## SAMPLE LETTER OF REQUEST

(Type on Letterhead Paper)

(DATE)

District Engineer  
U.S. Army Engineer District, Norfolk  
803 Front Street  
Norfolk, Virginia 23510-1096

Dear Sir:

In accordance with the provisions of Section 103 of the River and Harbor Act of 1962, as amended, which authorizes the Federal government to investigate effective means of preventing shoreline erosion by waves and currents, the *[cooperating agency]* makes formal application for a study of *[waterway or locality, County, State]*.

*[Insert paragraph giving a brief description of problem].*

The *[cooperating agency]* understands that the problem will be assessed through the conduct of a feasibility study. The Federal government will pay 100 percent of the costs of the feasibility study up to the Federal funding limit of \$100,000. If the cost exceeds \$100,000, the *[cooperating agency]* can provide 50 percent of the amount in excess of \$100,000. Of this 50 percent share, the *[cooperating agency]* may provide up to one-half in in-kind services.

The *[cooperating agency]* can provide the following local cooperation and participation:

1. Provide without cost to the United States all lands, easements, rights-of-way, and relocation including suitable borrow and dredged material placement areas (LERRD), as determined by the Federal government to be necessary for the construction of the project. The value of LERRD will be included in the total project costs and credited towards the sponsor's share of project costs.
2. Hold and save the United States free from claims for damages that may result from the construction and subsequent maintenance of the project, except damages due to the fault or negligence of the United States or its contractors.
3. Ensure continued public ownership or continued public use of the shoreline upon which the amount of Federal participation is based, and ensure its administration for public use during the economic life of the project.
4. Assume responsibility for all costs in excess of the Federal cost limitation of \$3 million.
5. Ensure maintenance, repair, and local share of beach nourishment (if applicable), during the useful life of the project as required to serve the project's intended purpose.
6. Ensure that any water pollution that could endanger the health of bathers will not be permitted where the beach is used for recreational purposes.
7. Provide a cash contribution ranging from 25 percent to 100 percent of the project costs.
8. Provide and maintain necessary roads, parking, and other public-use facilities, open and available to all on equal terms.

*SIGNATURE OF COOPERATING AGENCY*